

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TIMOTHY J. MCILWAIN,

Plaintiff,

-against-

MARSHA MINTZ, LSW,

Defendant.

25-cv-2902-ER

ORDER OF SERVICE

RAMOS, D.J.:

Plaintiff, who is proceeding *pro se*, paid the filing fees to commence this action.

The Clerk of Court is directed to issue a summons as to Defendant Marsha Mintz, LSW. Plaintiff is directed to serve the summons and complaint on the Defendant within 90 days of the issuance of the summons.¹

If within those 90 days, Plaintiff has not either served Defendant or requested an extension of time to do so, the Court may dismiss the claims against the Defendant under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

Plaintiff may receive court documents by email by completing the attached form, [Consent to Electronic Service](#).²

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, the summons in this case was not issued when Plaintiff filed the complaint because he had not paid the filing fee. The Court therefore extends the time to serve until 90 days after the date the summons is issued.

² If Plaintiff consents to receive documents by email, Plaintiff will no longer receive court documents by regular mail.

SO ORDERED.

Dated: April 23, 2025
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS
United States District Judge